

ORDINANCE NO.

6/8/06
Item #8

1 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE
2 AND EXECUTE THE FOURTH AMENDMENT TO THE CONSENT
3 AGREEMENT WITH THE NORTHWEST AUSTIN MUNICIPAL UTILITY
4 DISTRICT NO. 1 TO ESTABLISH A MONTHLY CREDIT ON WATER AND
5 WASTEWATER BILLS FOR CERTAIN CUSTOMERS; AMENDING
6 ORDINANCE NO. 20050912-004 TO ESTABLISH THE WATER AND
7 WASTEWATER CREDIT; AND WAIVING THE REQUIREMENTS OF CITY
8 CODE SECTION 2-5-2 RELATING TO ECONOMIC IMPACT STATEMENTS,
9 SECTION 2-5-45 RELATING TO A RATE CHANGE PUBLIC HEARING,
10 SECTION 15-9-4 RELATING TO PUBLIC NOTICE OF A PROPOSED RATE
11 OR CLASSIFICATION CHANGE, AND SECTION 25-9-253 RELATING TO
12 BOARD AND COMMISSION REVIEW.

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14 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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16 **PART 1.** The City Council authorizes the City Manager to negotiate and execute a
17 Fourth Amendment to the Agreement Concerning Creation and Operation of the
18 Northwest Austin Municipal Utility District No. 1 (Amendment to Consent Agreement)
19 in substantially the form attached as shown in Attachment 1.

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21 **PART 2.** The council amends the Fiscal Year 2005-06 Fee Schedule, Exhibit "A" of
22 Ordinance No. 20050912-004 to amend the current rate credit for Northwest Austin
23 Municipal Utility District No. 1 in the Austin Water Utility fee schedule to read:

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25 **Northwest Austin MUD No. 1 [Water and Wastewater] Rate Credit**

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27 Each single-family residential customer located within the Northwest Austin
28 Municipal Utility District No. 1 receives a monthly adjustment subtracting \$37.68
29 [~~\$35.33~~] from their water and wastewater bills. If the individual customer's
30 monthly total of the water and wastewater bill is less than \$37.68 [~~\$35.33~~], no
31 carryover shall be allowed. This adjustment will continue until the current bond
32 indebtedness of the District is retired or September 1, 2026, whichever is earlier.

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34 **PART 3.** The rates in this ordinance take effect on the first billing cycle after the parties
35 have executed the Amendment to the Consent Agreement.
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1 **PART 4.** In adopting the rates in this ordinance, the council waives the requirements of
2 City Code Section 2-5-2 (*Economic Impact Statement*), City Code Section 2-5-45 (*Public*
3 *Hearing on Determination of City Utility and Garbage Rates*), City Code Section 15-9-4
4 (*Changes to Rate Schedule or Classification*), and City Code Section 25-9-253 (*Board*
5 *and Commission Review; Council Action*).
6

7 **PART 5.** This ordinance takes effect on _____, 2006.
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12 **PASSED AND APPROVED**
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16 _____, 2006
17
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20
21 **APPROVED:**

22 _____
23 David Allan Smith
24 City Attorney
25
26

ATTEST:

Will Wynn
Mayor

Shirley A. Brown
City Clerk